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OFFICE OF PETITIONS

In re Application of :
Aye et al. :
Application No. 09/920071 :
Filing or 371(c) Date: 08/01/2001 : **ON PETITION**
Title of Invention: 3-D HLCD SYSTEM :
AND METHOD OF MAKING :

This is a decision on the petition under 37 CFR 1.137(b), filed December 6, 2007, to revive the above-identified application.

This Petition is hereby **granted**.

The above-identified application became abandoned for failure to timely and properly reply to the non-final Office action, mailed November 18, 2002. The Office action set a three (3) month period for reply from the mail date of the Office action. Extensions of time were available under 37 CFR 1.136(a). No reply having been received, the application became abandoned on February 19, 2003. A Notice of Abandonment was mailed July 11, 2003.

Applicant files the present petition and includes an Amendment in response to the Office action.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of an Amendment is filed with the present petition; (2) the petition fee; and (3) the required statement of unintentional delay¹. Accordingly, the reply is accepted as having been unintentionally delayed.

¹ It is not apparent whether the person signing the statement of unintentional delay was in a position to have firsthand or direct knowledge of the facts and circumstances of the delay at issue. Nevertheless, such statement is being treated as having been made as the result of a reasonable inquiry into the facts and circumstances of such delay. See 37 CFR 10.18(b) and Changes to Patent Practice and Procedure; Final Rule Notice, 62 Fed. Reg. 53131, 53178 (October 10, 1997), 1203 Off. Gaz. Pat. Office 63, 103 (October 21, 1997). In the event that such an inquiry has not been made, petitioner must make such an inquiry. If such inquiry results in the discovery that it is not correct that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional, petitioner must notify the Office.

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The application is being referred to Technology Center Art Unit 2872 for processing of the Amendment filed with the petition in due course.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3232.



Derek L. Woods

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Office of Petitions